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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,099	02/06/2006	Naoki Muramatsu	9683/230	5656
757 7590 04/19/2007 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EXAMINER KARIKARI, KWASI	
			ART UNIT	PAPER NUMBER
			2617	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/19/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/525,099

Applicant(s)

MURAMATSU ET AL.

Examiner

Kwasi Karikari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6-23 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 canceled is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 6-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 02/17/2005 and 01/17/2007.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on 01/17/2005 and 02/17/2007 in compliance with the provision of 37 CFR 1.97, has been considered by the Examiner, and made of record in the application file.

### ***Drawings***

3. The drawings objected to because they without appropriate legends. For example, Figs. 3 needs appropriate (printed) legends. Hand written legends are incomplete. See 37 CFR 1.83(a) and 1.84(o).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### **Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claim 1-15,18-21 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Shannon (U.S 6,233,618) (hereinafter Shannon).**

**Regarding claim 1**, Shannon discloses a method of controlling access

(col. 5, lines 7-33) with a communication terminal (integration of items 50-53 and network device 100 via item 41, see Fig. 1), the method comprising the steps of:

registering in a memory of a communication terminal a plurality of portal sites (website/restricted destination) and a corresponding plurality of access points used to access the portal sites (see col. 3, line 59- col. 4, line 43 and col. 8, line 24-30);

selecting, from the registered portal sites, a registered portal site to be used to initiate communication with a corresponding access point (request and browser; see col. 12, line 9-42); and

performing access control, when a request to access a site is generated by an application running in the communication terminal, the access control (decision to forward request, see col. 12, lines 31-45) comprising:

denying access in response to the site being the registered portal site, or a first portal site that shares an access point with the registered portal site (URL matches restricted destination; device access, see col. 14, lines 16-48 ); and

transmitting the request to the site via the selected access point in response to the site being a second portal site that does not share an access point with the registered portal site (IP neither matches restricted destination; allow request, see col. 14, lines 49-65).

**Regarding claim 7**, as recited in claim 6, Shannon discloses the method, wherein selecting, from the registered portal sites, a registered portal site further comprises identifying additional portal sites associated with the access point of the registered portal site, and storing an indication that the registered portal site and any identified additional portal sites are inhibited destinations to the application (configuration network device with the access control database 208, see Fig. 2).

**Regarding claim 8**, as recited in claim 6, Shannon discloses the method, wherein performing access control comprises comparing the stored indication of inhibited destinations with a destination included in the request (see col. 12, lines 42-45 and col. 14, lines 16-59).

**Regarding claim 9**, as recited in claim 6, Shannon discloses the method, wherein transmitting the request to the site comprises setting up a connection with the registered portal site (see col. 13, lines 19-52)

**Regarding claim 10**, as recited in claim 6, Shannon discloses the method, wherein

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transmitting the request to the site comprises transmitting an HTTP request that includes a universal resource locator of the site (see col. 13, line 52- col. 14, line 4).

**Regarding claim 11**, as recited in claim 6, Shannon discloses the method comprising the initial step of downloading the application, and storing the application in the memory. (see col. 12, line 16-36).

**Regarding claim 12**, Shannon discloses a communication terminal (device 100 integrated with devices 50-53, see Fig. 2) comprising:

a processor (inherent); a memory in communication with the processor (access control database may be stored locally with network device, see col. 3, line 59- col. 4, line 5);

instructions stored in the memory that are executable by the processor to enable a communication path for the communication terminal, in response to a user selection of a portal site of a service provider, the portal site associated with an access point used to access the portal site (see col. 6, lines 16-27 and col. 8, lines 24-67);

instructions stored in the memory that are executable by the processor to receive from an application running in the communication terminal an instruction to transmit a request for information that includes a uniform resource locator (see col. 13, line 52- col. 14, line 4);

instructions stored in the memory that are executable by the processor to deny transmittal of the request by the communication terminal in response to the uniform

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resource locator being related to the portal site, or to another portal site associated with the access point (see col. 14, lines 16-48); and

instructions stored in the memory that are executable by the processor to transmit the request with the communication terminal in response to the uniform resource locator being unrelated to the portal site, or to the another portal site associated with the access point (see col. 14, lines 49-65).

**Regarding claim 13**, as recited in claim 12, Shannon discloses the communication terminal, wherein the request is a request to transmit information of the user from the portal site (see col. 13, line 34- col. 14, line 25).

**Regarding claim 14**, as recited in claim 12, Shannon discloses the communication wherein instructions stored in the memory that are executable by the processor to enable a communication path for the communication terminal further comprise:

instructions stored in the memory that are executable by the processor to read from the memory an access point and a domain name that correspond to the portal site (see col. 8, lines 24-67);

instructions stored in the memory that are executable by the processor to identify another domain name of another portal site that corresponds to the access point (see col. 8, lines 24-67 and Fig. 2); and

instructions stored in the memory that are executable by the processor to store the domain name and the another domain name in the memory as an inhibited destination (col. 9, line 62- col. 10, line 65).

**Regarding claim 17**, as recited in claim 12, Shannon discloses the communication terminal, wherein the application comprises a native application and a downloaded application, and the instructions stored in memory that are executable by the processor to deny transmittal of the request are only executable when the request is generated from the downloaded application (see col. 14, lines 49-65).

**Regarding claim 18**, as recited in claim 17, Shannon discloses the communication terminal, wherein the instructions stored in memory that are executable by the processor to transmit the request are executable unconditionally in response to only the request when the request is generated from the native application (see col. 13, line 1-51 and col. 14, lines 49-65).

**Regarding claim 19**, Shannon discloses a communication terminal (integration of items 50-53 and network device 100 via item 41, see Fig. 1) comprising:

a memory configured to store a plurality of profiles, each of the profiles including an identifier of a provider portal site (website/restricted destination) and a corresponding identifier of an access point operable to communicate with other communication networks (see col. 3, line 59- col. 4, line 43 and col. 8, line 24-30);;



a display unit (browser) operable to receive a user input representative of selection of one of the profiles stored in the memory as a communication route for connection of the communication terminal to a provider server apparatus that corresponds to the selected one of the profiles (see col. 11, line 57- col. 14, line 52);

a downloaded application stored in the memory and executable to generate a transmittable request for information that includes a file location identified in the request (see col. 12, lines 16-63); and

an application manager stored in the memory and executable to determine a first provider portal site that is associated with the identifier of the access point of the selected one of the profiles, and to designate as inhibited sites each of the first provider portal site (see col. 14, lines 16-48), and

a second provider portal site identified in the selected one of the profiles; the application manager further executable in response to receipt of the request to allow transmission of the request only when the file location identified in the request is other than the inhibited sites (col. 14, lines 49-65).

**Regarding claim 20**, as recited in claim 19, Shannon discloses the communication Terminal, wherein the identifier of the access point of the selected one of the profiles is also present in another one of the profiles that includes the first provider portal site (see col. 14. lines 16-65).

**Regarding claim 21**, as recited in claim 19, Shannon discloses the communication

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terminal, wherein the downloaded application is executable absent an instruction from a user to generate the request (see col. 14, lines 49-65).

**Regarding claim 23**, as recited in claim 19, Shannon discloses the communication terminal wherein the identifier of the provider profile site in each of the profiles is a unique identifier of a service provider server apparatus (see col. 11, lines 35-41).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 15, 16 and 22 are rejected under U.S.C. 103(a) as being unpatentable over Shannon in view of Bajikar (U.S 20030112182 A1) (hereinafter Bajikar).**

**Regarding claim 15**, as recited in claim 14, Shannon fails specifically to disclose that the application is stored in **read only memory**, and the domain name and the another domain name is stored in **random access memory**.

However, Bajikar teaches read only memory and random access memory (see Par. 0019).

Shannon and Bajikar are analogous art because they disclose concepts and practices regarding control access in a communication system. At the time of the invention it would have been obvious to combine Bajikar into Shannon. The motivation for said combination would have been, as Bijikar suggests (Bajikar; Par. 0018), to provide a security system that is capable of modifying the access policy of the mobile device based on location of the device.

**Regarding claim 16**, as recited in claim 12, Shannon fails specifically to disclose, wherein the application is a downloaded application that is stored in non-volatile memory.

However, Bajikar teaches machine readable medium (see Par. 0019).

Shannon and Bajikar are analogous art because they disclose concepts and practices regarding control access in a communication system. At the time of the invention it would have been obvious to combine Bajikar into Shannon. The motivation for said combination would have been, as Bijikar suggests (Bajikar; Par. 0018), to provide a security system that is capable of modifying the access policy of the mobile device based on location of the device.

**Regarding claim 22**, as recited in claim 19, Shannon fails specifically to disclose, wherein the memory comprises a non-volatile memory and a random access memory, the downloaded application and the profiles stored in the non-volatile memory, and the designation of the inhibited sites stored in the random access memory.

However, Bajikar teaches wherein the memory comprises a non-volatile memory and a random access memory, the downloaded application and the profiles stored in the non-volatile memory, and the designation of the inhibited sites stored in the random access memory (see Par. 0019).

Shannon and Bajikar are analogous art because they disclose concepts and practices regarding control access in a communication system. At the time of the invention it would have been obvious to combine Bajikar into Shannon. The motivation for said combination would have been, as Bijikar suggests (Bajikar; Par. 0018), to provide a security system that is capable of modifying the access policy of the mobile device based on location of the device.

### ***Conclusion***

6. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

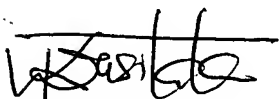
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kwasi Karikari whose telephone number is 571-272-8566. The examiner can normally be reached on M-F (8 am - 4pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8566. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kwasi Karikari  
Patent Examiner.  
04/15/2007.



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER